

Resolution No.: 15-1686  
Introduced: November 28, 2006  
Adopted: November 28, 2006

**COUNTY COUNCIL  
FOR MONTGOMERY COUNTY, MARYLAND**

By: County Council

**SUBJECT:** Amendment to the FY07-12 Capital Improvements Program (CIP) and  
Special Appropriation to the FY07-12 Capital Budget  
Maryland-National Capital Park and Planning Commission (M-NCPPC)  
Black Hill Trail Renovation and Extension (No. 058701)

**Background**

1. Article 28, Section 2-118(a)(6) of the Maryland Code permits the County Council to amend the budget of the M-NCPPC by resolution on the Council's initiative, or at the request of the Commission, after receipt of a recommendation from the County Executive, and after public hearing upon reasonable notice to the public.
2. Section 308 of the Montgomery County Charter provides that a special appropriation: (a) may be made at any time after public notice by news release; (b) must state that the special appropriation is necessary to meet an unforeseen disaster or other emergency or to act without delay in the public interest; (c) must specify the revenues necessary to finance it; and (d) must be approved by six members of the Council.
3. Section 302 of the Montgomery County Charter provides that the Council may amend an approved capital improvements program at any time by an affirmative vote of six Councilmembers.
4. M-NCPPC requests an amendment to the FY07-12 CIP and a special appropriation to the FY07 Capital Budget for M-NCPPC to provide for the renovation of a deteriorated segment of the existing trail, and construction of a 1.2 mile trail extension to connect the adjacent residential community to Black Hill Regional Park as follows:

Project Name	PDF #	Cost Element	Amount	Funding Source
Black Hill Trail Renovation & Extension	058701	Planning, Design & Supervision	\$379,000	GO Bonds
Black Hill Trail Renovation & Extension	058701	Site Improvements	\$1,277,000	GO Bonds
Black Hill Trail Renovation & Extension	058701	Site Improvements	\$2,328,000	Program Open Space
<b>TOTAL</b>			<b>\$3,984,000</b>	

5. This special appropriation is needed because of an increase in Program Open Space allocation from the Maryland State Department of Natural Resources. This recommended action leverages significant non-County sources of funds (Program Open Space).
6. Notice of public hearing was given and a public hearing was held.
7. On October 23, 2006 the Planning, Housing, and Economic Development Committee held a worksession to consider M-NCPPC's request and recommended approval.
8. On October 31, 2006 the Council approved Resolution No. 15-1657. Since the funding amount in the resolution was inconsistent with the Project Description form and the Council's intent, the resolution was reconsidered by the Council on November 28 and readopted in the amount requested by M-NCPPC.

**Action**

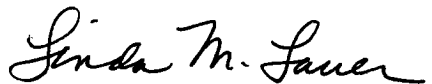
The County Council for Montgomery County, Maryland, approves the following actions:

1. The FY07-12 Capital Improvements Program of the Maryland-National Capital Park and Planning Commission is amended as reflected on the attached project description form and a special appropriation is approved as follows:

Project Name	PDF #	Cost Element	Amount	Funding Source
Black Hill Trail Renovation & Extension	058701	Planning, Design & Supervision	\$379,000	GO Bonds
Black Hill Trail Renovation & Extension	058701	Site Improvements	\$1,277,000	GO Bonds
Black Hill Trail Renovation & Extension	058701	Site Improvements	\$2,328,000	Program Open Space
<b>TOTAL</b>			<b>\$3,984,000</b>	

2. The County Council declares that this action is necessary to act without delay in the public interest.

This is a correct copy of Council action.



Linda M. Lauer, Clerk of the Council

**PROPOSED****Black Hill Trail Renovation and Extension -- No. 058701**

Category M-NCPPC  
 Agency M-NCPPC  
 Planning Area Clarksburg  
 Relocation Impact None.

Date Last Modified  
 Previous PDF Page Number  
 Required Adequate Public Facility

October 25, 2006  
 NONE  
 NO

**EXPENDITURE SCHEDULE (\$000)**

Cost Element	Total	Thru FY05	Est. FY06	Total 6 Years	FY07	FY08	FY09	FY10	FY11	FY12	Beyond 6 Years
Planning, Design and Supervision	379	0	0	379	154	152	73	0	0	0	0
Land											
Site Improvements and Utilities	3,726	0	0	3,726	631	2,318	777	0	0	0	0
Construction	0	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0	0
Total	4,105	0	0	4,105	785	2,470	850	0	0	0	0

**FUNDING SCHEDULE (\$000)**

Program Open Space	2,328	0	0	2,328	664	1,664	0	0	0	0	0
G.O. Bonds	1,777	0	0	1,777	121	806	850	0	0	0	0

**ANNUAL OPERATING BUDGET IMPACT (\$000)**

Program-Staff				11	0	0	11	0	0	0	0
Program-Other				3	0	0	3	0	0	0	0
Net Impact				14	0	0	14	0	0	0	0
Workyears				0.2	0.0	0.0	0.0	0.0	0.0	0.2	0.0

**DESCRIPTION**

There are two trail projects in Black Hill Regional Park. The first project, the Black Hill Trail Renovation, upgrades an existing 2.38 mile hiker-biker trail in Black Hill Regional Park, along the eastern shore of Little Seneca Lake from Wisteria Drive north to Spinning Wheel Drive. The existing 6-foot wide trail does not meet park standards and is seriously deteriorated. The trail renovation and upgrade provides an eight-foot wide trail that will fully comply with the Americans with Disabilities Act (ADA) (except in one area where full ADA compliance is not possible without extensive tree-clearing) and park construction standards. This project is proposed for design in FY07 and construction in FY08-09.

The second project, the Black Hill Trail Extension, is a 1.2 mile extension of the Black Hill Hiker-Biker Trail from the existing trail terminus near Spinning Wheel Drive to Parking Lot 6, near the picnic area, in Black Hill Regional Park. The new eight-foot wide trail will connect two existing segments of the trail and provide the only hard surface trail connection from the Water's Landing community to the developed area of Black Hill Regional Park. The project is proposed to complete design in FY07 and construction in FY08-09.

**Service Area**

Clarksburg and Germantown Planning Area.

**JUSTIFICATION**

Developers built the existing trail as the adjacent residential communities developed and conveyed the land and trail to the Commission in 1982. The trail was constructed using little or no base and with a substandard asphalt layer. It is seriously deteriorated, and in some areas the pavement is cracked and grass or weeds grow in the exposed soil. In other areas, the pavement at the trail edge has completely crumbled and is little more than gravel. Settling pavement creates sinkholes. There is an obvious deflection in the wood pedestrian bridge. As a precaution, maintenance staff are not permitted to transport maintenance equipment across the bridge. In addition, the trail was built before the Americans with Disabilities Act (ADA) guidelines were developed. It is too narrow to safely accommodate the growing number of users, and contains several areas of steep slopes, three of which are near access points to the trail. The proposed eight-foot width affords minimum space for bicyclists, wheelchairs, strollers, maintenance crews, and emergency vehicles.

Several plans envision a hard surface trail network that links the residents of Germantown and Clarksburg to Black Hill Regional Park. Renovation of the existing hard-surface trail is part of this larger network which will make the regional park accessible to thousands of residents and make the Clarksburg amenities accessible to those living in the vicinity of the park. The Black Hill Regional Park Master Plan, approved in 2002, make this project a priority.

Approximately 425,000 people visit the park each year. In 1997 countywide park user survey, respondents indicated that they used trails more than any other recreation amenity: 67 percent had used paved park trails in the last year. Biking and walking paths topped the respondents' lists of desired facilities or greatest facility shortages.

**Plans and Studies**

APPROPRIATION AND EXPENDITURE DATA			COORDINATION		MAP
Date First Appropriation	FY05	(\$000)	Community Associations		
Initial Cost Estimate		1,371	Trails: Hard Surface Renovation PDF 888754		
First Cost Estimate			Trails: Hard Surface Design and Construction PDF 768673		
Current Scope	FY05	1,371	Montgomery County Department of Permitting Services		
Last FY's Cost Estimate		3,101	Montgomery County Department of Environmental Protection		
Present Cost Estimate		4,105	Maryland Department of Natural Resources		
Appropriation Request	FY07	121			
Appropriation Req. Est.	FY08	0			
Supplemental					
Appropriation Request	FY08 07	3,984			
Transfer		0			
Cumulative Appropriation		0			
Expenditures/					
Encumbrances		0			
Unencumbered Balance		0			
Partial Closeout Thru	FY04	0			
New Partial Closeout	FY05	0			
Total Partial Closeout		0			

Black Hill Regional Park Master Plan, approved 2002. Facility plan for renovation project, approved April 2003. Facility plan for extension project, approved September 2003. Clarksburg Master Plan, approved and adopted 1994. Greenway-Clarksburg Master Plan Implementation Study, 1999, and Countywide Park Trails Plan (1998). A review of impacts to pedestrians, bicycles and ADA (Americans with Disabilities Act 1991) has been performed and addressed by this project. Traffic signals, streetlights, crosswalks, bus stops, ADA ramps, bikeways, and other pertinent issues will be considered in the design of the project to ensure pedestrian safety.

**Cost Change**

Increase due to industry-wide construction cost increases and inflation.

**STATUS**

Design Stage. Both phases, trail renovation and extension, are scheduled in FY07-09.

**OTHER**

Design for the extension is under contract in the Trails: Hard Surface Design and Construction PDF 768673.

**FISCAL NOTE**

FY07 Amendment and Special Appropriation to accelerate Phase II with POS funding.